

9/26/03

**LIST OF REFERENCES CITED BY APPLICANT**  
(Use several sheets if necessary)

ATTY DOCKET NO.  
6925-312-999

APPLICATION NO.

TBA 10/673,125

APPLICANT

Tull et. al

FILING DATE

Herewith

GROUP

TBA 3691

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
NJ	A01	US-4,554,418	11-1983	Tog, Frank C.	340/523.27		
NJ	A02	US-5,193,056	03-1993	Boes, R. Todd	705/36		
NJ	A03	US-5,148,363	09-1992	Dembo, Ron S.	705/36		
	A04						
	A05						
	A06						
	A07						
	A08						
	A09						
	A10						
	A11						
	A12						
	A13						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
							YES NO
	B01						

**OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)**

NJ	C01	Fabozzi et. al. "The Handbook of Fixed Income Securities" 1991 Business One Irwin Publishers (Third Edition) P 898-909.
	C02	
	C03	

EXAMINER

N Sub

DATE CONSIDERED

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 3

**Complete if Known**

Application Number	10/673,125
Filing Date	September 26, 2003
First Named Inventor	Robert Stanley Tull, Jr.
Art Unit	3676-2691
Examiner Name	N. Subramaniam
Attorney Docket Number	040173CONCONCONCON

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
N		US-4,346,443	05-24-1982	Musmanno	
		US-4,378,978	03-15-1983	Musmanno	
		US-4,722,056	01-26-1988	Roberts	
		US-4,738,294	04-03-1988	Gill et al.	
		US-4,742,457	05-03-1988	Leon et al.	
		US-4,762,877	06-21-1988	Roberts et al.	
		US-4,774,663	09-27-1988	Musmanno et al.	
		US-4,953,086	08-26-1990	Atkins	
		US-5,214,579	05-25-1993	Wolberg et al.	
		US-5,245,633	09-14-1993	Marshall	
N		US-5,291,398	03-01-1994	Magan	
		US-5,946,667	08-31-1999	Tull, Jr. et al.	
		US-6,092,056	07-18-2000	Tull, Jr. et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	1*
		Country Code <sup>2</sup> -Number <sup>3</sup> -Kind Code <sup>4</sup> (if known)				

Examiner Signature	N. Sub	Date Considered	3/8/08
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1/10/02

PTO/BB/08B (08-03)

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Substitute for form 1449A/PTO		Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Application Number	10/673,125
		Filing Date	September 26, 2003
		First Named Inventor	Robert Stanley Tull, Jr.
		Art Unit	3678-2691
		Examiner Name	N. Subramanian
(use as many sheets as necessary)		Attorney Docket Number	040173CONCONCONCON
Sheet	2	of	3

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>1</sup>
NJ		United States Patent Application No. 09/223,797, filed April 8, 1994. (Attorney Docket No. 040173).	
		"STANDARD & POOR'S DEPOSITARY RECEIPTS™," "Capture the 'Market' in One Investment," dual sided brochure, 1993, PDR Services Corporation, 4 pages.	
		MORGAN STANLEY, "OPALS - Questions and Answers - Optimized Portfolios as Listed Securities," 11-page brochure.	
		MORGAN STANLEY, "OPALS," 11-page brochure.	
		"Financial Instruments Protected," <i>New York Times</i> , December 30, 1989, 1 page.	
		JOHN R. DORFMAN, "Master Limited Partnerships Regain Fans Thanks to Special Treatment of Payouts," <i>The Wall Street Journal</i> , August 19, 1993, p. C1, 2 pages.	
		MICHAEL R. SESIT, "U.S., Europe Take the Lead in Global Stock Investments," <i>The Wall Street Journal</i> , p. C1, 3 pages.	
		MORGAN STANLEY, "OPALS - Composition - Tracking Performance - Pricing - List of Available Securities," dual sided brochure, 4 pages.	
		TRACY CORRIGAN, "Morgan Stanley plans issue of up to \$10bn Opals," <i>The Financial Times Limited</i> , April 30, 1993, p. 27.	
		MORGAN STANLEY CAPITAL (CAYMAN ISLANDS) LIMITED, "Optimised Portfolios As Listed Securities (OPALS <sup>SM</sup> ), Series No.: 7, December 2, 1993, 4 pages.	
NJ		GROUP OF THIRTY, "Clearance and Settlement Systems in the World's Securities Markets," March 1989, 88 pages.	

Examiner Signature	N. Subramanian	Date Considered	3/8/02
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Substitute for form 1449A/PTO		Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Application Number	10/673,125
		Filing Date	September 26, 2003
		First Named Inventor	Robert Stanley Tull Jr.
		Art Unit	3676-2691
		Examiner Name	N. Subramanian
Sheet 3 of 3	Attorney Docket Number	040173CONCONCONCON	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS); title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume/issue number(s), publisher, city and/or country where published	T <sup>2</sup>
NS		MORGAN STANLEY CAPITAL (CAYMAN ISLANDS) LIMITED, "Optimised Portfolios As Listed Securities ("OPALS") PROGRAMME, December 2, 1993, 27 pages.	
		"Opals System Overview (how we did it)," March 29, 1993, 9 pages.	
		"STANDARD & POOR'S DEPOSITARY RECEIPTS™, (SPDRs)™" "SPDR Trust Series 1, A Unit Investment Trust," January 22, 1993, 56 pages.	
		"Bundled Index Depositary Securities (BIDS) Business Plan," February 1992, 52 pages.	
		International Search Report for International Application PCT/US 95/04222 dated July 17, 1995, 4 pages.	
		ERIC A. CHIAPPINELLI, "Reinventing A Security: Arguments For A Public Interest Definition," <i>Washington &amp; Lee Law Review</i> , Vol. 48, n3, Summer 1992, pp. 957-985.	
		PETER F. POPE and PRADEEP K. YADAV, "Discovering Errors in Tracking Error," <i>The Journal of Portfolio Management</i> , Winter 1994, pp.27-32.	
NS		RANDALL SMITH, "IRS Is Abandoning Challenge to Status of Popular LYONs," <i>The Wall Street Journal</i> , January 22, 1992, 1 page.	

Examiner Signature	N. Sub	Date Considered	3/8/08
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